IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
SECOND APPEAL NO.355 OF 2004

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

Mr.Umesh Mankapure i/b Mr.R.V.More for the Appellants
Mr.S.S.Patwardhan for Respondent Nos.2,3 and 4.

CORAM: A.S.OKA, J.
DATED: AUGUST 14, 2006.

P.C.:

1. Heard Advocates for the parties. The Appellants are the original Plaintiffs. The contention raised by the learned Advocate for the Appellants is that if proviso to section 30 of the Limitation Act, 1963 is considered, the suit was within limitation and therefore the Appellate Court could not have set aside the decree on the ground of bar of limitation.

2.Even if the date of cause of action is taken as date of execution of document i.e. 12th September 1923 and proviso to section 30 of the said Act is applied, it is obvious that the suit filed by the original Plaintiff in the year 1982 was barred by limitation. No substantial question of law arises. Second Appeal is dismissed with no order as to costs.

Judge.